

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## In Re Application of:

Antoniou et al.

Group Art Unit: Not Yet  
AssignedFor: Self-Replicating Episomal Expression  
Vectors Conferring Tissue-Specific Gene  
Expression

Examiner: Not Yet Assigned

## DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; and

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a

☒ Utility Patent ☐ Design Patent

is sought on the invention, whose title appears above, the specification of which:

☒ is attached hereto.  
☐ was filed on \_\_\_\_\_ as Serial No. \_\_\_\_\_ .  
☐ said application having been amended on \_\_\_\_\_ .

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to be material to the patentability of this application in accordance with 37 CFR § 1.56.

09247054-020999

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a-d) of any **f reighn application(s)** for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of any application on which priority is claimed:

<b>Priority Claimed (If X'd)</b>	<b>Country</b>	<b>Serial Number</b>	<b>Date Filed</b>
<input checked="" type="checkbox"/>	<u>Great Britian</u>	<u>9617214.3</u>	<u>August 16, 1996</u>
<input type="checkbox"/>	<u></u>	<u></u>	<u></u>
<input type="checkbox"/>	<u></u>	<u></u>	<u></u>
<input type="checkbox"/>	<u></u>	<u></u>	<u></u>

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to be material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Serial Number	Date Filed	Patented/Pending/Abandoned
<u>08/914,715</u>	<u>August 19, 1997</u>	<u>Pending</u>
<u>PCT/GB97/02213</u>	<u>August 18, 1997</u>	<u>Pending</u>

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Serial Number	Date Filed
60/025,040	August 28, 1996

I hereby appoint the following persons of the firm of **WOODCOCK WASHBURN KURTZ MACKIEWICZ & NORRIS LLP**, One Liberty Place - 46th Floor, Philadelphia, Pennsylvania 19103 as attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Francis A. PaintinReg. No. 19,386Doreen Yatko TrujilloReg. No. 35,719

Address all telephone calls and correspondence to:

**Doreen Yatko Trujillo**  
**WOODCOCK WASHBURN KURTZ**  
**MACKIEWICZ & NORRIS LLP**  
One Liberty Place - 46th Floor  
Philadelphia PA 19103  
Telephone No.: **(215) 568-3100**  
Facsimile No.: **(215) 568-3439**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

<b>Name:</b> Michael Antoniou	<hr/> <b>Signature</b>  <b>Date of Signature:</b> _____  <b>Citizenship:</b> <u>British</u>
<b>Mailing Address:</b> 36 Mead Road	
<b>City/State of Actual Residence:</b> Edgeware, Middlesex, HA8 6LJ, United Kingdom	

<b>Name:</b> Frankin G. Grosveld	
<b>Mailing Address:</b> Jacobus van Vessemsingel 9	<b>Signature</b> _____
<b>City/State of Actual Residence:</b> 3065-NH Rotterdam, The Netherlands	<b>Date of Signature:</b> _____ <b>Citizenship:</b> _____ Dutch _____

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant or Patentee: Antoniou et al.

Serial No.:

Filed:

Entitled: Self-Replicating Episomal Expression Vectors Conferring Tissue-Specific Gene Expression

Attorney Docket No.: 3255/21924

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 C.F.R. §§1.9(f) AND 1.27(b)) - NONPROFIT ORGANIZATION**

Sir:

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION: Medical Research Council

ADDRESS OF ORGANIZATION: 20 Park Crescent, London, WIN 4AL, ENGLAND

**TYPE OF ORGANIZATION:**

- ☐ University or other institution of higher education  
☐ Tax Exempt Organization under Internal Revenue Service Code (26 U.S.C. §§501(a) and 501(c)(3))  
☐ Nonprofit Scientific or Educational Institution under laws of a State of the United States

NAME OF STATE:

CITATION OF STATE LAW:

- ☐ Organization that would qualify as a Tax Exempt Organization under Internal Revenue Service Code (26 U.S.C. §§501(a) and 501(c)(3)), if located in the United States  
☒ Organization that would qualify as a Nonprofit Scientific or Educational Institution under the laws of a State of the United States, if located in the United States

Entitled: Self-Replicating Episomal Expression Vectors Conferring Tissue-Specific Gene Expression

by inventor(s) Antoniou et al.  
described in

- ☒ the specification filed herewith  
☐ Application Serial No. \_\_\_\_\_, filed \_\_\_\_\_  
☐ Patent No. \_\_\_\_\_, issued \_\_\_\_\_

I hereby declare that rights under contract or law have been conveyed to and remain with said nonprofit organization with regard to the invention described in the patent or application identified above.

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**[X] NONPROFIT ORGANIZATION** (Check additional applicable box.)

The below-identified nonprofit organization qualifies as a small entity under 37 CFR 1.9(e) in that it constitutes:

1. ☐ a university or other institution of higher education located in any country; or
2. ☐ an organization of the type described in Section 501(c)(3) of the Internal Revenue Code of 1954 (26 USC 501(c)(3)) and exempt from taxation under Section 501(a) of the Internal Revenue Code (26 USC 501(a)); or
3. ☐ any nonprofit scientific or educational organization qualified under a nonprofit organization statute of a state of the United States (35 USC 201(i)); or
4. ☒ any nonprofit organization located in a foreign country which would qualify as a nonprofit organization under paragraphs (e)(2) or (3) of Rule 1.9 if it were located in the United States.

The undersigned acknowledge(s) the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR 1.28(b)).

The below-signing individual(s) hereby declare(s) that (he, she, they) are authorized to execute this statement on behalf of the small entity; that all statements made herein of (his, her, their) own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Small Entity: (Nonprofit)	
Medical Research Council	
Address of Small Entity: (Street, City, State or Country, Zip Code)	
20 Park Crescent London, W1N 4AL, ENGLAND	
Name of Person Signing: (Nonprofit)	
Dr. Martin Wood	
Title of Person Signing: (Nonprofit)	
Head of Technology Transfer Group	
Signature: (Please sign and date in permanent ink.)	Date signed:
X <i>M. W. Wood</i>	X 5-12-1978